

HOUSE BILL 3915

By Rinks

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 7, relative to copyright infringement.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new appropriately designated section:

§ 49-7-1\_\_.

(a) Each institution of higher education that receives funding from the state of Tennessee shall, by January 15 of each year:

(1) Develop and enforce a policy defining computer and network usage and ethics that covers students, staff, and faculty; that clearly describes and prohibits the infringement of copyrighted works over the school's computer and network resources, including over the school's local area and internal networks; that details the penalties for infringement provided under both federal law and the school code; and that is visibly posted in school computer labs and when users sign on to the network; and

(2) Thoroughly analyze its computer network, including its local area and internal networks, to determine whether it is being used to transmit copyrighted works, and either:

(A) Certify to the Tennessee higher education commission that an analysis under this subdivision indicates that the institution's network, including its local area and internal networks, is not being used to transmit copyrighted works, and that the institution has not received ten or more legally valid notices of infringement in the preceding year from owners of the infringed works or their authorized agents; or

(B) Take affirmative steps, including the implementation of effective technology-based deterrents, to prevent the infringement of copyrighted works over the school's computer and network resources, including over local area and internal networks, and report to either the board of regents of the state university and community college system or the board of trustees of the University of Tennessee the policy developed under subsection (a) and the affirmative steps taken under this subdivision.

(b) Upon receipt of a report under subdivision (a)(2)(B), the board of regents and the board of trustees shall, within ten (10) days, submit the report to the Tennessee higher education commission.

(c) Upon receipt of a report under (b), the Tennessee higher education commission shall, within ten (10) days, submit the report to the standing education committee of both the house of representatives and the senate.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.